

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. _____

JOHN MORANCY,

Plaintiff,

v.

REGAN HOSPITALITY LLC, and
CHRISTOPHER REGAN,

_____ /

NOTICE OF REMOVAL

Defendants Regan Hospitality LLC (“Regan Hospitality”) and Christopher Regan (“Mr. Regan”) (collectively, “Defendants”), by and through the undersigned counsel and pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, hereby remove this action from the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, where the action is now pending, to the United States District Court for the Southern District of Florida. The removal of this action is based upon the following:

1. On or about October 29, 2024, Plaintiff filed a civil action in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, entitled *John Morancy v. Regan Hospitality LLC and Christopher Regan*, Case No. 24-020701-CA-01 (hereinafter referred to as the “State Court Action”).

2. Plaintiff’s Complaint lodges counts for (1) unpaid overtime wages in violation of the Fair Labor Standards Act (the “FLSA”) against Regan Hospitality (Count I); (2) unpaid overtime wages in violation of the FLSA against Mr. Regan (Count II); (3) FLSA retaliation against Regan Hospitality (Count III); (4) FLSA retaliation against Mr. Regan (Count IV).

3. On October 30, 2024, Plaintiff served Defendants with the Complaint.

4. This action is within the original federal question jurisdiction of the United States District Court for the Southern District of Florida pursuant to 28 U.S.C. § 1331, because Plaintiff has asserted federal claims under the FLSA.

5. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b)(3), because it occurred within thirty-days (30) from the October 30, 2024 date of service.

6. For the reasons stated above, this action is removable to this Court pursuant to the provisions of 28 U.S.C. §§ 1331, 1441.

7. The District and Division embracing the place where such action is pending is the Miami Division of the United States District Court for the Southern District of Florida. *See* 28 U.S.C. § 1441(a). The Southern District of Florida's Miami Division is the appropriate venue because Plaintiff purportedly lives in Miami-Dade County, Florida, he filed the original Complaint in Miami-Dade County, Florida, and he was employed by Regan Hospitality in Miami-Dade County, Florida.

8. A true and correct copy of all process, pleadings, orders and other papers or exhibits of every kind currently on file in the State Court Action are attached hereto as Composite Exhibit A, as required by 28 U.S.C. § 1446(a).

9. Pursuant to 28 U.S.C. § 1446(d), Defendants have provided written Notice of the Removal to Plaintiff and have filed a copy of this Notice of Removal in the Circuit Court of the 11th Judicial Circuit, in and for Miami-Dade County, Florida. A copy of Defendants' Notice of Filing Notice of Removal is attached hereto as Exhibit B.

* * *

DATED: November 27, 2024

Respectfully submitted,

By: /s/ Ryan P. Forrest
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Counsel for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27 day of November 2024, a true and correct copy of the foregoing was electronically filed and served via transmission of Notice of Electronic Filing generated by CM/ECF on all counsel or parties of record, and a true and correct copy of the foregoing document was served on all parties identified on the Service List below via E-mail.

/s/ Ryan P. Forrest
Ryan P. Forrest

SERVICE LIST

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